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EXAMINER

AMINZAY, SHAIMA Q

ART UNIT

PAPER NUMBER

2618

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/625,622

Applicant(s)

NAKAMURA, TAMAKI

Examiner

Shaima Q. Aminzay

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections – 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action.

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Nishino (Nishino et al., US Patent No. 7,046,287).

Regarding claim 1, Nishino discloses a portable device comprising a first body (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-57, column 11, lines 43-49, column 12, lines 18-23, the terminal (portable device) having first body (1c)*), a second body (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-57, column 11, lines 43-49, column 12, lines 18-23, the terminal (portable device) having first body (1b)*) and a coupling portion coupling said first and second bodies together (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-57, column 11, lines 43-49, column 12, lines 18-23, the terminal (portable device) having a coupling device (1z)*), said coupling portion coupling said first and second bodies in a foldable fashion (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-57, column 11, lines 43-49,*

column 12, lines 18-23), wherein said portable device further includes:

photographing means capable of photographing in both a folded state and an open state of said cellular phone (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-62*), preview image display means for displaying a preview image based on an image taken and provided by said photographing means for previewing the provided image before storing (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-27, lines 42-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-14, lines 18-23, and lines 38-62*), a first display portion, and a second display portion displaying the image in one of opposite directions corresponding to the folded state and the open state (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-67, column 11, lines 1-67, column 12, lines 1-62*), respectively; and said preview image display means includes: first preview display means for displaying said preview image on said first display portion (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-67, column 11, lines 1-67, column 12, lines 1-62*), and second preview display means for displaying the preview image rotated by 180 degrees on said second display portion in either the folded state or the open state for previewing (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-27, lines 49-57, column 11, lines 4-10, column 12, lines 18-62*).

Regarding claim 7, Nishino discloses a portable device comprising a first body (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-57,*

column 11, lines 43-49, column 12, lines 18-23, the terminal (portable device) having first body (1c)), a second body (see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-57, column 11, lines 43-49, column 12, lines 18-23, the terminal (portable device) having first body (1b)) and a coupling portion coupling said first and second bodies together (see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-57, column 11, lines 43-49, column 12, lines 18-23, the terminal (portable device) having a coupling device (1z)), said coupling portion coupling said first and second bodies in a foldable fashion (see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-57, column 11, lines 43-49, column 12, lines 18-23), wherein said portable device further includes:

photographing means for taking and providing an image in one of opposite directions corresponding to a folded state and an open state of said portable device phone (see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-62), respectively, preview image display means for displaying a preview image based on the image taken and provided by said photographing means for previewing the provided image before storing (see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-27, lines 42-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-14, lines 18-23, and lines 38-62), a first display portion, and a second display portion displaying the image in one of opposite directions corresponding to the folded state and the open state (see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-62),,

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respectively; said preview image display means includes: first preview display means for displaying said preview image on said first display portion (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-27, lines 42-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-14, lines 18-23, and lines 38-62*), and second preview display means for displaying said preview image on said second display portion (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-67, column 11, lines 1-67, column 12, lines 1-62*); and said second preview display means operating for the previewing in the open state rotates the image provided from said photographing means during the photographing operation in either the folded state or the open state by 180 degrees (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-67, column 11, lines 1-10, lines 37-67, column 12, lines 18-62*).

Regarding claim 13, Nishino discloses a portable device comprising a first body (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-57, column 11, lines 43-49, column 12, lines 18-23, the terminal (portable device) having first body (1c)*), a second body and a coupling portion coupling said first and second bodies together (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-57, column 11, lines 43-49, column 12, lines 18-23, the terminal (portable device) having a coupling device (1z) coupling the first body (1c) with the second body (1b)*), said coupling portion coupling said first and second bodies in a foldable fashion (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines*

14-57, column 11, lines 43-49, column 12, lines 18-23), wherein said portable device further includes: photographing means for taking and providing an image in one of opposite directions corresponding to a folded state and an open state of said portable device (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-62*), respectively, preview image display means for displaying a preview image based on the image taken and provided by said photographing means for previewing the provided image before storing (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-27, lines 42-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-14, lines 18-23, and lines 38-62*), a first display portion, and a second display portion displaying the image in one of opposite directions corresponding to the folded state and the open state (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-62*), respectively; said preview image display means includes: first preview display means for displaying said preview image on said first display portion (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-27, lines 42-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-14, lines 18-23, and lines 38-62*), and second preview display means for displaying said preview image on said second display portion (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-67, column 11, lines 1-67, column 12, lines 1-62*); and said second preview display means operating for the previewing in the folded state rotates the image provided from said photographing means during the

photographing operation in either the folded state or the open state by 180 degrees (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-67, column 11, lines 1-10, lines 37-67, column 12, lines 18-62*).

Regarding claim 19, Nishino discloses a portable device comprising a first body (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-57, column 11, lines 43-49, column 12, lines 18-23, the terminal (portable device) having first body (1c)*), a second body and a coupling portion coupling said first and second bodies together (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-57, column 11, lines 43-49, column 12, lines 18-23, the terminal (portable device) having a coupling device (1z) coupling the first body (1c) with the second body (1b)*), said coupling portion coupling said first and second bodies in an openable fashion (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-57, column 11, lines 43-49, column 12, lines 18-23*), wherein said portable device further includes: a camera portion capable of photographing in either of a closed state and an open state of said portable device (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-62*), preview image display means for displaying a preview image based on the image taken and provided by said camera portion for previewing the provided image before storing (see for example, *Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-27, lines 42-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-14, lines 18-23, and lines 38-62*), and a display portion displaying

the image in one of opposite directions corresponding to the closed state and the open state (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10 , lines 14-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-62*), respectively; and said preview image display means displays said preview image on said display portion (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10 , lines 14-27, lines 42-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-14, lines 18-23, and lines 38-62*), and said preview image is rotated by 180 degrees in either the closed state or the open state (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10 , lines 14-67, column 11, lines 1-10, lines 37-67, column 12, lines 18-62*).

Regarding claims 2, 8, and 14, Nishino teach all the claimed limitation as recited in claims 1, 7, and 13, and further, Nishino teach wherein each of said first and second display portions is provided on an externally exposed surface of said first or second body in the open state (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-62*).

Regarding claims 3, 9, and 15, Nishino teach all the claimed limitation as recited in claims 2, 8, and 14, and further, Nishino teach a storing portion temporarily storing the image provided from said photographing means for reading by said preview image display means for providing said preview image (*see for example, column 5,*

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lines 36-43, column 6, lines 1-5, column 10, lines 14-27, lines 42-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-14, lines 18-23, and lines 38-62), wherein said storing portion is shared by said first and second preview display means (see for example, column 5, lines 36-43, column 6, lines 1-5, column 10, lines 14-27, lines 42-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-14, lines 18-23, and lines 38-62).

Regarding claims 4, 10, and 16, Nishino teach all the claimed limitation as recited in claims 1, 7, and 13, and further, Nishino teach wherein said second display portion is provided on an externally exposed surface of said first or second body in the folded state (*see for example, Figures 10A-11C, Abstract, lines 1-15, column 10, lines 14-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-62).*

Regarding claims 5, 11, and 17, Nishino teach all the claimed limitation as recited in claims 4, 10, and 16, and further, Nishino teach a storing portion temporarily storing the image provided from said photographing means for reading by said preview display means for providing said preview image (*see for example, column 5, lines 36-43, column 6, lines 1-5, column 10, lines 14-27, lines 42-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-14, lines 18-23, and lines 38-62), wherein said storing portion is shared by said first and second preview display means (see for example, column 5, lines 36-43, column 6, lines 1-5, column 10, lines 14-27, lines 42-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-14, lines 18-23,*

and lines 38-62).

Regarding claims 6, 12, and 18, Nishino teach all the claimed limitation as recited in claims 1, 7, and 13, and further, Nishino teach a storing portion temporarily storing the image provided from said photographing means for reading by said preview display means for providing said preview image (*see for example, column 5, lines 36-43, column 6, lines 1-5, column 10, lines 14-27, lines 42-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-14, lines 18-23, and lines 38-62*), wherein said storing portion is shared by said first and second preview display means (*see for example, column 5, lines 36-43, column 6, lines 1-5, column 10, lines 14-27, lines 42-67, column 11, lines 1-10, lines 43-67, column 12, lines 1-14, lines 18-23, and lines 38-62*).

Conclusion

1. The prior art made of record considered pertinent to applicant's disclosure, see PTO-892 form.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 571-272-7874. The examiner can normally be reached on 7:00 AM -5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Shaima Q. Aminzay
(Examiner)

June 16, 2006



NAY MAUNG
SUPERVISORY PATENT EXAMINER

Nay A. Maung
(SPE)